



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Claus-Dieter BARROIS)
Reinhold DUNNINGER)
)
Application No. : 10/541,869)
)
Filed: : July 11, 2005)
)
For : PRINTING PRESSES COMPRISING AT)
LEAST ONE PRINTING CYLINDER)

RESPONSE TO DECISION ON PAPERS UNDER CFR 1.42

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administrator
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Office of PCT Legal Administration

Sir:

In response to the Decision On Papers under CFR 1.42, which was mailed to the undersigned in the subject U.S. patent application on February 21, 2006, and a copy of which is enclosed, there is submitted herewith a Supplemental Combined Declaration and Power of Attorney, together with an Added Page. The Supplemental Combined Declaration and Power of Attorney sets forth the names, addresses and citizenship of both of the inventors. With respect to the second inventor, Reinhold Dünninger who is deceased, this Supplemental Combined Declaration and Power of Attorney is executed by Brigitte Dünninger, the legal representative of the deceased inventor. The Added Page, which is actually two pages long, sets forth the address and citizenship of Ms. Dünninger and further sets forth that she is the legal representative of the deceased inventor.

It is believed that these documents comply with 37 CFR 1.497 (a) - (b). Entry of these materials into the file of the subject application, and the issuance of a Notification of Acceptance and a Filing Receipt is respectfully requested.

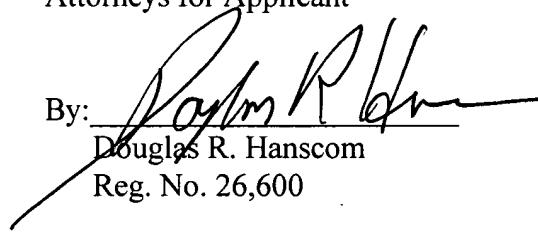
Respectfully submitted,

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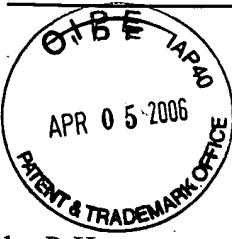
April 5, 2006

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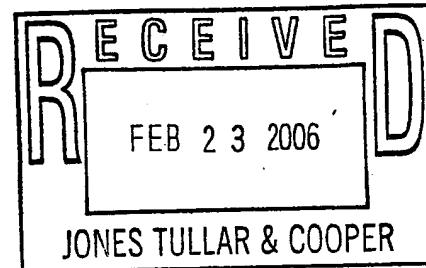
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21 FEB 2006

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In re Application of
BARROIS et al.
Application No.: 10/541,869
PCT No.: PCT/DE03/03643
Int. Filing Date: 03 November 2003
Priority Date: 22 January 2003
Attorney's Docket No.: W1.1602 PCT-US
For: PRINTING PRESSES COMPRISING AT
LEAST ONE PRINTING CYLINDER

DECISION ON

PAPERS

UNDER 37 CFR 1.42

This is a decision on the submission filed by applicants on 11 July 2005, which was accompanied by, *inter alia*, a declaration of the inventors. The indication in this declaration that inventor Reinhold Dunninger is deceased has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 03 November 2003, applicants filed international application PCT/DE03/03643 which claimed a priority date of 22 January 2003 and designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 12 August 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 July 2005.

On 11 July 2005, applicants filed, *inter alia*, a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee and a declaration of inventors. The indication in this declaration that inventor Reinhold Dunninger is deceased has been treated as a request for status under 37 CFR 1.42.

DISCUSSION

The declaration filed 11 July 2005 fails to comply with 37 CFR 1.497(a)-(b).

-First, it is not clear from the declaration whether the information below Brigitte Dunninger's signature is her residence, mailing address, and citizenship, or if it is the residence, mailing address, and citizenship of Reinhold Dunninger. Additionally, the declaration does not include the residence, mailing address and citizenship of the person(s) signing on behalf of the deceased

inventor (37 CFR 1.497(b)(2)) in addition to the full name *and citizenship* of the deceased inventor (37 CFR 1.497(a)(3)).

-Second, under 37 CFR 1.42, the declaration must include the signature of the legal representative or the signature of all of the heirs (or if there is only one heir, the sole heir). If the declaration is signed by a legal representative, the declaration should state that this person is the legal representative. Alternatively, applicants' attorney may file a statement certifying that the person signing is the legal representative. If the declaration is not signed by a legal representative and does not indicate that the persons signing are all of the heirs (or the sole heir), then it must be accompanied by a statement by either those signing or by the attorney which sets forth (1) that they are in fact all the heirs of the deceased and (2) that no legal representative of the deceased's estate has been appointed or is required by the applicable law to be appointed.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **REFUSED**.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Applicant is required to submit a declaration in compliance with 37 CFR 1.497 and 1.42 within a time period of **TWO (2) MONTHS** from the mail date of this Decision. **THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a).** FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT. Any request for reconsideration of this decision should include a cover letter entitled "Renewed Submission Under 37 CFR 1.42."


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